

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

STEPHAN DETURRIS,

MEMORANDUM AND ORDER

Plaintiff,

CV 10-688

-against-

(Wexler, J.)

MARINE MAX, et al.,

Defendants.

-----X

APPEARANCES:

Saul D. Zabell, Esq.
Zabell & Associates, P.C.
4875 Sunrise Highway
Suite 300
Bohemian, NY 11716
Attorneys for Plaintiff

Eric Broutman, Esq.
Abrams Fensterman Fensterman Eisman Greenberg Formato Einige
1111 Marcus Avenue
Suite 107
Lake Success, NY 11042
Attorneys for Defendant Surfside 3 Marina, Inc.

WEXLER, District Judge

As discussed in a conference held in chambers, in light of the fact that there is no longer federal jurisdiction over the claims that remain in this action, this case is hereby dismissed for lack of jurisdiction. The parties have agreed to pursue the matter in state court and, pursuant to stipulation, have agreed to complete all discovery within 65 days of April 13, 2011. Beyond agreeing to the date for completion of discovery, any issues regarding discovery will be raised in the context of the state court proceedings.

The Clerk of the Court is to close the file in this matter, and to terminate any outstanding motions.

SO ORDERED.

✓LEONAKA D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
April 26, 2011